IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION NO.20197 of 2002

Between:

Sodisetti Balaji Rao, S/o. Venkateswara Rao,
Hindu, R/o Machilipatnam, Krishna District.

..... PETITIONER

AND

1 Government of India, rep. by its Secretary,
Ministry of Surface Transport, Transport Bhavan, Parliament Street,
New Delhi - 110 001.
2 Government of India, rep. by its Secretary,
Ministry of Road Transport & Highways, Transport Bhavan,
Parliament Street, New Delhi - 110 001.
3 Government of Andhra Pradesh, rep. by its Secretary,
Roads, Buildings & Ports, Secretariat Bldgs., Hyderabad.
4 National Highways Authority, Represented by its Chief Engineer,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue a writ, order or direction, more particularly a writ of Mandamus, directing the respondents to lay National Highway No.214as was originally programmed as shown in Part-I of the Annexure by declaring the action of the respondents in changing the routes as shown in part-II of the Annexure as illegal and ultra vires to the Provisions of Article 14 of the Constitution of India and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstance of the case.

Counsel for the Petitioner : Sri V.S.R.ANJANEYALU

Counsel for the Respondents: Sri A.RAJASHEKAR REDDY
(S.C. for Central Govt.)

Sri S.S.Varma, S.C. for Central Govt.

The Court made the following :

ORAL ORDER: (Per Hon'ble the Chief Justice)

Writ Petition filed as public interest litigation by a practising Advocate seeking direction against respondent to lay National Highway No.214, as was originally shown in Part-I of the Annexure, and to declare the action of respondents in changing the route, as illegal and *ultra vires* of Article 14 of the Constitution of India.

Writ Petition was filed on 07th October, 2002. Affidavit in reply was filed by the Regional Officer, National Highways, Ministry of Road Transport and

Highways, Government of India. Writ Petition has been rendered infructuous since the route requested has already been declared as National Highway No.214-A and Gazette Notification was issued by the Government of India declaring it to be National Highway No.214-A vide notification dated 25th February, 2004. In view of the affidavit in reply, the writ petition is dismissed as infructuous.

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DEVINDER GUPTA, C.J.

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M.NARAYANA REDDY, J.

07-02-2005

bsc

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary,
Ministry of Surface Transport, Government of India, Transport Bhavan,

Parliament Street,
New Delhi - 110 001.
2 The Secretary,
Ministry of Road Transport & Highways, Government of India,Transport

Bhavan, Parliament Street, New Delhi - 110 001.
3 The Secretary, Roads, Buildings & Ports, Government of Andhra Pradesh,

Secretariat Bldgs., Hyderabad.
4 The Chief Engineer, National Highways Authority,
Hyderabad.

5. 2 CCs to Sri A.Rajasekhar Reddy, Standing Counsel for Central Govt. (OUT)

6. 1 CC to Sri V.ANJANEYALU, Advocate (OUT)

7. 2 CD copies